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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/575,174

04/07/2006

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EXAMINER

STORK, KYLE R

ART UNIT

PAPER NUMBER

2178

MAIL DATE

DELIVERY MODE

10/02/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/575,174	Applicant(s) MIURA, YUKI	
	Examiner KYLE R. STORK	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4.7.06; 2.6.08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This non-final office action is in response to the preliminary amendment filed 7 April 2006.
2. Claims 1-19 are pending. Claims 1, 10, and 19 are independent claims.

Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

4. The information disclosure statements (IDS) submitted on 7 April 2006 and 6 February 2008 are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statements are being considered by the examiner.

Drawings

5. The examiner accepts the drawings filed 7 April 2006.

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claim 19 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

As per independent claim 19, the applicant claims an "information browser program product comprising computer readable instructions that cause a computer to execute (lines 1-2)" functions. However, the information browser program product is neither stored on a computer readable medium, nor does it fall within the protected subject matter under 35 USC 101. It is not a machine, manufacture, process, or composition of matter. Instead, it appears to be functional descriptive material, which does not allow its function to be realized without being functionally interrelated to some form of computer medium. Therefore, claim 19 is non-statutory.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Beranek et al. (GB 2329309, published 17 March 1999, hereafter Beranek).

As per independent claim 1, Beranek discloses a device information display system for displaying device internal information of one or more information devices, comprising:

an information browsing unit which acquires and analyzes document data described in a markup language, converts the acquired document data into layout data

having a prescribed structure based on results of the analysis, and makes a display based on the layout data (page 5, line 7- page 6, line 20; page 8, lines 9-17)

a device information providing unit which acquires the device internal information of the one or more information devices, generates display data containing the device internal information and having a structure equivalent to the prescribed structure of the layout data generated by the information browsing unit, and displays the generated display data through the information browsing unit (page 5, line 7- page 6, line 20; page 8, lines 9-17: Here, information about the device is obtained. Based upon this information, the display is generated via a proxy server to define a device specific display).

As per dependent claim 2, Beranek discloses the device information displaying system wherein the device information providing unit has stylized data corresponding to the type of information device to be used as a base of the display data (page 8, line 9-17).

As per dependent claim 3, Beranek discloses wherein the stylized data are prepared in multiple type corresponding to the types of information devices (page 2, lines 9-20).

As per dependent claim 4, Beranek discloses wherein the device information providing unit further has a function of writing operation information, including at least one of setting information and a control instruction, into the one or more information devices (Figure 6: Here, the remove/replace operation is a rewrite of page information).

As per dependent claim 5, Beranek discloses wherein the device information providing unit includes a device information interface which functions as an interface for receiving a request signal according to a prescribed procedure and executing the acquisition of the device internal information from the one or more information devices and the writing of the operation information according to the request signal (Figure 4: Here, the HTTP Proxy acts as the interface between the client browser and the server).

As per dependent claim 6, Beranek discloses wherein:
the information browsing unit and the device information unit and the device information providing unit are implemented in one information device (Figure 4: Here, the client contains a browsing unit)

the device information interface acquires the device internal information of the one information device (Figure 4; column 8, lines 9-17)

As per dependent claim 7, Beranek discloses wherein the device information interface is connected to the one or more information devices via a wired and/or wireless network and acquires the device internal information from the one or more information devices via the network (Figure 1).

As per dependent claim 8, Beranek discloses wherein the one or more information devices include at least one of a cellular phone, a home information appliance, and a vehicle-mounted device (Figure 2A).

As per dependent claim 9, Beranek discloses wherein the device internal information includes at least one of information on the types of the information devices

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and information on peripheral devices of each of the one or more information devices (page 8, lines 9-17).

As per claims 10-18, the applicant discloses the limitations similar to those in claims 1-9, respectively. Claims 10-18 are similarly rejected.

As per claim 19, the applicant discloses the limitations similar to those in claim 1. Claim 19 is similarly rejected.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KYLE R. STORK whose telephone number is (571)272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kyle Stork/

Kyle R Stork
Primary Examiner
Art Unit 2178
krs